

**MINUTES
CITY OF ST. CHARLES, IL
PLAN COMMISSION
TUESDAY, JUNE 4, 2019**

Members Present: Chairman Wallace (7:05pm)
Vice Chairman Kessler
James Holderfield
Tom Pretz
Jennifer Becker
Peter Vargulich
Laura Macklin-Purdy

Members Absent: Melton
Funke

Also Present: Ellen Johnson, Planner
Russell Colby, Community Development Manager
Rachel Hitzemann, Planner
Monica Hawk, Development Engineer
Court Reporter

1. Call to order

Vice Chairman Kessler called the meeting to order at 7:00 p.m.

2. Roll Call

Vice Chairman Kessler called the roll. A quorum was present.

3. Presentation of minutes of the May 21, 2019 meeting of the Plan Commission.

Motion was made by Ms. Purdy, seconded by Mr. Pretz and unanimously passed by voice vote to approve the minutes of the May 21, 2019 Plan Commission meeting.

4. Election of Officers.

Motion was made by Mr. Pretz, seconded by Ms. Purdy and unanimously passed by voice vote to table this item to the next meeting.

5. Prairie Gas Station (CIMA Developers, LP)

Application for Concept Plan

The attached transcript prepared by Planet Depos Court Reporting is by reference hereby made a part of these minutes.

6. Prairie Place Lofts (Viktor Kovtunovich, 3KB Enterprises LLC)

Application for Concept Plan

The attached transcript prepared by Planet Depos Court Reporting is by reference hereby made a part of these minutes.

Minutes – St. Charles Plan Commission

Tuesday, June 4, 2019

Page 2

7. General Amendment (City of St. Charles)

Ch. 17.22 “General Provisions” and Ch. 17.30 “Definitions” regarding requirements related to swimming pools.

a. Public Hearing

The attached transcript prepared by Planet Depos Court Reporting is by reference hereby made a part of these minutes.

Motion was made by Mr. Kessler and seconded by Mr. Pretz to close the public hearing.

Roll call vote:

Ayes: Kessler, Holderfield, Pretz, Becker, Wallace, Vargulich, Purdy

Nays:

Absent: Funke, Melton

Motion carried 7-0

b. Discussion & Recommendation

The attached transcript prepared by Planet Depos Court Reporting is by reference hereby made a part of these minutes.

Motion was made by Mr. Kessler and seconded by Ms. Purdy to recommend approval of a General Amendment Ch. 17.22 “General Provisions” and Ch. 17.30 “Definitions” regarding requirements related to swimming pools, subject to satisfaction of all staff comments.

Roll call vote:

Ayes: Kessler, Holderfield, Pretz, Becker, Wallace, Vargulich, Purdy

Nays:

Absent: Funke, Melton

Motion carried 7-0

8. Additional Business from Plan Commission Members or Staff-None.

9. Weekly Development Report

10. Meeting Announcements

a. Plan Commission

Tuesday, June 18, 2019 at 7:00pm Council Chambers

Tuesday, July 2, 2019 at 7:00pm Council Chambers

Tuesday, July 16, 2019 at 7:00pm Council Chambers

b. Planning & Development Committee

Monday, June 10, 2019 at 7:00pm Council Chambers

Minutes – St. Charles Plan Commission
Tuesday, June 4, 2019
Page 3

Monday, July 8, 2019 at 7:00pm Council Chambers

- 11. Public Comment- None.**
- 12. Adjournment at 8:28 p.m.**



Planet Depos[®]
We Make It *Happen*[™]

Transcript of Pride Gas Station

Date: June 4, 2019

Case: St. Charles Plan Commission

Planet Depos

Phone: 888.433.3767

Email: transcripts@planetdepos.com

www.planetdepos.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

-----x
In Re: Pride Gas Station :
(CIMA Developers, LP) :
Application for Concept :
Plan :
-----x

HEARING
St. Charles, Illinois 60174
Tuesday, June 4, 2019
7:00 p.m.

Job No.: 218465A
Pages: 1 - 42
Reported by: Joanne E. Ely, CSR, RPR

1 HEARING, held at the location of:

2

3 ST. CHARLES CITY HALL

4 2 East Main Street

5 St. Charles, Illinois 60174

6 (630) 377-4400

7

8

9

10

11

12

13 Before Joanne E. Ely, a Certified Shorthand

14 Reporter, and a Notary Public in and for the State

15 of Illinois.

16

17

18

19

20

21

22

23

24

Transcript of Pride Gas Station

Conducted on June 4, 2019

1 PRESENT:

2 TODD WALLACE, Chairman

3 TIM KESSLER, Vice Chairman

4 JENNIFER BECKER, Member

5 JAMES HOLDERFIELD, Member

6 LAURA MACKLIN-PURDY, Member

7 TOM PRETZ, Member

8 PETER VARGULICH, Member

9 ALSO PRESENT:

10 RUSSELL COLBY, Community Development
11 Manager

12 ELLEN JOHNSON, Planner

13 RACHEL HITZEMANN, Planner

14 MONICA HAWK, Development Engineer

15

16

17

18

19

20

21

22

23

24

Transcript of Pride Gas Station
Conducted on June 4, 2019

4

1 P R O C E E D I N G S

2 VICE CHAIRMAN KESSLER: This meeting of
3 the St. Charles Plan Commission will come to
4 order.

5 Becker.

6 MEMBER BECKER: Here.

7 VICE CHAIRMAN KESSLER: Pretz.

8 MEMBER PRETZ: Here.

9 VICE CHAIRMAN KESSLER: Holderfield.

10 MEMBER HOLDERFIELD: Here.

11 VICE CHAIRMAN KESSLER: Vargulich.

12 MEMBER VARGULICH: Here.

13 VICE CHAIRMAN KESSLER: Purdy.

14 MEMBER MACKLIN-PURDY: Here.

15 VICE CHAIRMAN KESSLER: Kessler here.

16 No. 3 on our agenda is the presentation of
17 the minutes of the May 21st, 2019, meeting of the
18 Plan Commission.

19 Is there a motion to approve?

20 MEMBER MACKLIN-PURDY: I move.

21 MEMBER PRETZ: Second.

22 VICE CHAIRMAN KESSLER: All in favor.

23 (Ayes heard.)

24 VICE CHAIRMAN KESSLER: That passes.

Transcript of Pride Gas Station

Conducted on June 4, 2019

5

1 Then No. 4 on our agenda is the election
2 of officers. I think that we're going to -- we
3 can table that; right? Just on a roll call vote?

4 Is there a motion to table Item No. 4 on
5 the agenda?

6 MEMBER PRETZ: So moved.

7 MEMBER MACKLIN-PURDY: Second.

8 VICE CHAIRMAN KESSLER: All in favor?

9 (Ayes heard.)

10 VICE CHAIRMAN KESSLER: That passes
11 unanimately.

12 And do we need to set it on our next
13 agenda?

14 MR. COLBY: Yes. We'll place it on the
15 next agenda.

16 VICE CHAIRMAN KESSLER: All right. No. 5
17 on our agenda is the Pride Gas Station, CIMA
18 Developers, LP, application for concept plan.

19 This is a concept plan. A concept plan
20 comes before us to review the particulars of their
21 ideas on the lot. We'll have a presentation by
22 the applicant, and then we'll have questions from
23 the Plan Commission, questions from the audience.

24 And when we feel we've had enough

Transcript of Pride Gas Station

Conducted on June 4, 2019

6

1 information, we'll go through the Plan Commission,
2 and we'll offer comments to the applicant. As it
3 turns out, most of the items -- I think, Items
4 No. 5 and 6 are concept plans. So we'll follow
5 that same process for both.

6 So with that being said, No. 5, Pride Gas
7 Station, CIMA Developers, LP.

8 Is the applicant here?

9 MR. SOLTIS: Yes.

10 VICE CHAIRMAN KESSLER: Come on up.

11 Just to let everybody know, if you want to
12 speak, speak one at time. We do have a court
13 reporter here taking down the minutes of the
14 meeting; and although she's very good, she can
15 only take one person at a time.

16 So when you're ready to speak, come up.
17 Anybody who wants to speak will come up to the
18 podium and then give your name and address for the
19 record.

20 MR. SOLTIS: Sure. Okay.

21 Good evening, everybody. My name is Dan
22 Soltis. I'm with CIMA Developers. It's
23 pronounced CIMA actually.

24 VICE CHAIRMAN KESSLER: CIMA. That's

Transcript of Pride Gas Station

Conducted on June 4, 2019

7

1 Italian.

2 MR. SOLTIS: Yes. S-o-l-t-i-s is my last
3 name, 30W180 Butterfield Road, Warrenville, and
4 I'm here on behalf of the petitioner, the Pride
5 stores.

6 CIMA Developers, we're the real estate and
7 development arm of the Pride stores. We're all
8 part of Parent Petroleum. Parent Petroleum is a
9 wholesale fuel supplier.

10 We've been home officed here in
11 St. Charles for over 30 years. We also have a
12 wholesale office that we have been over on North
13 and Peck Road for about seven years now, and then
14 our retail and CIMA office is in Warrenville.

15 Family owned, family operated, we have
16 been operating convenience stores for over
17 30 years. We're up to 15 sites, convenient store
18 sites that we do operate. 14 of those are Pride
19 stores. One of them we're going to be converting
20 into a Pride -- it's in Dyer, Indiana -- later
21 next year or maybe later this year.

22 Our most recent new build was in
23 Naperville, and that opened in January of this
24 year. And we plan to open our 16th location in

Transcript of Pride Gas Station

Conducted on June 4, 2019

8

1 Palatine which will be our Pride of Palatine
2 location. We hope to build that by summer.

3 As I mentioned, we're part of Parent
4 petroleum. Parent Petroleum is the largest BP
5 supplier in the country. So we have fuel
6 agreements with Mobil, BP, Shell, Citgo, Marathon.

7 The site tonight we've looked at it as an
8 Amoco. We haven't completely decided if it will
9 be an Amoco at this point, but right now, you
10 know, we have options there.

11 If you're familiar with our sites, we're
12 not your typical convenience store. It's not a
13 cliché. So if you've been to our locations, we
14 have sites off of Lincoln Highway, 1505 Lincoln
15 Highway. We've been there eight, nine years now.

16 And we also operate the retail center next
17 to it which is the Urban Counter, a standalone
18 restaurant; and we have our Pride beer, wine, and
19 spirits location; and we're also proud to be
20 opening our 93 Octane Brewery later this year
21 as well which is under construction.

22 So I might look familiar on some of those
23 previous projects, and that's kind of what we're
24 looking forward to this year.

PLANET DEPOS

888.433.3767 | WWW.PLANETDEPOS.COM

Transcript of Pride Gas Station

Conducted on June 4, 2019

9

1 (Chairman Wallace entered the chambers.)

2 MR. SOLTIS: We do have food offers, and
3 I'll get into it as well, but our site that we're
4 going to be presenting today is a 4500-square-foot
5 convenience store. Within that 4500 convenience
6 store, we do operate a quick service restaurant.
7 We have three quick service restaurant offers that
8 we have: Urban Counter; Taco Urbano, which is in
9 Batavia, Illinois and Villa Park; as well as a
10 Pride Cafe, which is a little quicker offer.

11 This site we're looking at is a Taco
12 Urbano. We do look to operate 24/7 operations for
13 the convenience store and the gas as well as the
14 car wash. The quick service restaurant has
15 shorter hours, typically closing earlier, dinner
16 time, things like that.

17 If you want further information on our
18 location, obviously, we have a website
19 thepridestores.com, CIMA Developers as well, and
20 we also own Randall Plaza, and we own a retail
21 center in Charles Court as well and a freestanding
22 car wash.

23 So we know the business, and we're looking
24 forward to -- this location is, hopefully, our

1 16th site. We've been under contract for quite a
2 while, coming up on a year and half or so. I'm
3 sure I'm missing on some of the timing there.

4 It's been a difficult corner to try to
5 develop, but we've gotten to a point where we feel
6 we have a very workable plan. We are relying on a
7 reciprocal easement agreement that we have with
8 the Main Street Commons to the south, that has
9 been under agreement since January.

10 We did -- I'll be transparent. We did
11 have a call today on that agreement. We're trying
12 to work through some of the concerns that they
13 have with the retention sharing of the
14 development. And I'll go into the site plan now,
15 and then, hopefully, I'll try to keep it brief.

16 Okay. So this site is -- it's an eight
17 dispenser, call it square eights, or I'm sorry a
18 rectangle -- or domino eight. We would have two
19 three-plus-one dispensers on the west side that
20 would have just diesel for box trucks and things
21 like that.

22 Our car wash -- 1900-square-foot car wash,
23 10 car stacking. It's a conveyor-type car wash
24 that gets cars through every 20 to 25 seconds. So

1 if you've ever been to our car wash at our current
2 Pride location, that's a rollover car wash in the
3 industry, and that's more of a four to five
4 minutes. So this is a quicker car wash queuing.

5 The reciprocal easement agreement that we
6 have in place and I'll -- whoops. This is right
7 here as well as obviously right there. We have
8 two signs that we're presenting or that we call
9 under the reciprocal easement agreement here and
10 here.

11 MEMBER MACKLIN-PURDY: Can you say that
12 again. I wasn't looking.

13 MR. SOLTIS: There and up there. And I
14 think that's part of the presentation, or I can
15 scroll down and see that.

16 The biggest thing about this corner has
17 been trying to make the retention work. We're
18 relying on the reciprocal easement agreement and
19 incorporating the current detention pond for the
20 Main Street Commons here. So what we're going to
21 be doing is -- whoops. I didn't know it was going
22 to be -- here we go. Sorry about that.

23 I've got an utility plan here. So we're
24 just going to revise -- our current retention

Transcript of Pride Gas Station

Conducted on June 4, 2019

12

1 summary calls out that we're just going to expand
2 this pond just a little bit to the north to allow
3 some additional volume. We have retaining walls
4 here, here, and here, as well as here.

5 So how it's designed, half the volume will
6 be stored in the current detention pond, and then
7 half the volume, roughly, will be stored on the
8 new pond to the north there.

9 VICE CHAIRMAN KESSLER: So that's a pond
10 out there?

11 MR. SOLTIS: This is a pond, correct.

12 VICE CHAIRMAN KESSLER: And is it
13 connected?

14 MR. SOLTIS: It will be connected, right.
15 The systems will work in tandem. I don't have my
16 engineers here, but that will all be worked
17 through our WT Engineering firm, staff, and that
18 will all get designed accordingly.

19 Let's see. I'll leave it here, and I'll
20 open it up for questions. Yes.

21 MEMBER VARGULICH: I've got a question.

22 The reciprocal easement going to the south
23 to get into the right-in/right-out, have you guys
24 looked at traffic flow even at a high level? I

1 realize this is a concept plan; but given the
2 AADTs on Kirk and Main Street, how much traffic do
3 you anticipate would use that right-in/right-out?

4 MR. SOLTIS: This one here?

5 MEMBER VARGULICH: Yeah.

6 MR. SOLTIS: I think -- with the sign
7 here, I think you're going to see a particularly,
8 you know, large amount. I'd have to look and get
9 our traffic study updated. We did do a traffic
10 study when we -- originally we were looking to do
11 a curb cut, a right-in right here. We were
12 working with Kane County. We worked with them for
13 a couple months and just obviously it's not in the
14 cards.

15 So our traffic study was based off of
16 that, but we plan to -- and I believe it's called
17 out in the staff report that we're going to go
18 ahead and get a traffic study -- get that traffic
19 study updated.

20 MEMBER VARGULICH: So here's my question.
21 Do you feel that that won't pose any kind of a
22 pedestrian problem for the retail that's just to
23 the south of you where you're going to run all
24 your traffic through their parking lot? You're

Transcript of Pride Gas Station

Conducted on June 4, 2019

14

1 going to make interaction with cars backing out
2 when people have a destination to get into your
3 place and --

4 MR. SOLTIS: No. I wouldn't look at
5 this --

6 MEMBER VARGULICH: Is there a problem
7 there?

8 MR. SOLTIS: I wouldn't look at this any
9 differently than dozens, you know, hundreds and
10 thousands of developments throughout, you know. I
11 wouldn't look at that any differently than a cross
12 access that more than likely should have been in
13 place originally.

14 MEMBER VARGULICH: Well, I think it would
15 be designed differently. I don't think you would
16 want cars backing out when you want to have people
17 get in and out of your place.

18 MEMBER MACKLIN-PURDY: Where are you
19 talking about cars being backed out?

20 MEMBER VARGULICH: He's running through
21 the middle of the parking lot.

22 MEMBER MACKLIN-PURDY: But can you point
23 to me right where you're talking about.

24 MEMBER VARGULICH: You have cars on both

Transcript of Pride Gas Station

Conducted on June 4, 2019

15

1 sides all the up and down there.

2 MEMBER MACKLIN-PURDY: This is a bank.

3 MEMBER VARGULICH: Right. But here's
4 retail right here.

5 MEMBER MACKLIN-PURDY: Where they park
6 right up to it.

7 MEMBER VARGULICH: If there's cars in this
8 bay, they're going to back out, and all these
9 people are trying to get in and out of that.

10 MEMBER MACKLIN-PURDY: But they park here
11 and come out this way.

12 MEMBER VARGULICH: They park right here
13 too.

14 MR. SOLTIS: Which parking spots are you
15 concerned about?

16 MEMBER MACKLIN-PURDY: I've never seen
17 anybody park there, and I use this all the time.
18 I shop here. I've never seen anybody park there.
19 I'm just saying. I know, I never have.

20 MEMBER VARGULICH: Okay. I'm asking
21 for --

22 MEMBER MACKLIN-PURDY: Orange Theory
23 Fitness; right? Orange Theory Fitness is there.

24 MR. SOLTIS: Correct.

Transcript of Pride Gas Station

Conducted on June 4, 2019

16

1 MEMBER MACKLIN-PURDY: And there's a
2 restaurant there too, a Chinese restaurant.

3 MR. SOLTIS: Correct.

4 MEMBER MACKLIN-PURDY: Panda Express.

5 MR. SOLTIS: Right. We don't see any
6 concerns. Like I said, all of our parking is
7 along here, and to us that's a cross access that
8 makes sense and that we need. We need it for the
9 development.

10 MEMBER MACKLIN-PURDY: I mean, maybe in
11 the mornings when they have a lot of classes at
12 Orange Theory Fitness possibly, but I don't see a
13 problem.

14 MEMBER VARGULICH: I have a question
15 regarding the general approach to this site plan.
16 Along Kirk Road, you're raising the grade 5 to 7
17 feet above the pavement. Why?

18 MR. SOLTIS: I don't have my engineer
19 here, so I can't answer that. We are dealing with
20 about a 15-foot elevation drop from this corner to
21 this corner.

22 MEMBER VARGULICH: I understand.

23 MR. SOLTIS: But I don't know specifically
24 why, why they designed that other than --

1 MEMBER VARGULICH: I guess part of it is
2 I'm just trying to understand why because that's a
3 lot of fill to pay for.

4 MR. SOLTIS: Right.

5 MEMBER VARGULICH: Which that affects
6 construction costs and rate of return and all
7 those things. So that's part of the reason it
8 seems odd.

9 MR. SOLTIS: Right.

10 MEMBER VARGULICH: The other part is that
11 given the way your site plan is laid out with your
12 canopy and your pumps there, that's elevated above
13 the street, plus I think the canopy. I find that
14 whole approach objectionable that you're going to
15 have your canopy -- the top of your canopy is,
16 what, 15 feet above pavement?

17 MR. SOLTIS: It's a 60-foot canopy with a
18 3 foot facia, yes, 19 feet total. It's, you know,
19 a grade-to-top canopy.

20 MEMBER VARGULICH: So it's going to be
21 like a pylon sign sitting at the corner because
22 you're going to put signage, I'm assuming, on the
23 side of the canopy; right?

24 MR. SOLTIS: Yeah. We didn't provide

1 that, but that's typical. Right.

2 MEMBER VARGULICH: Given the general
3 approach to retail fuel, you're going to have
4 signage there; right? So you're now going to have
5 basically a sign that's 20 feet to 25 feet above
6 the pavement or traffic going in both directions.
7 I find that objectionable.

8 So hence the whole question about the fill
9 and the need to put that much fill in and why you
10 have reversed the building and where the fuel is.

11 MR. SOLTIS: We've really played around
12 with this site plan.

13 MEMBER VARGULICH: You don't get the
14 access directly from either of the adjacent
15 streets to get into the fuel. You have to come
16 around to get in. So why not put the building on
17 that corner so there's architecture on the corner
18 rather than a canopy. It's more for us.

19 MR. SOLTIS: Sure. We did play around
20 with it. It's a difficult piece of property
21 because of obviously the --

22 MEMBER VARGULICH: Understood.

23 MR. SOLTIS: -- dimensions of it. You
24 know, we started with a split canopy.

1 As far as where this one has landed, we
2 feel confident this is our best layout based off
3 of what we know in the industry, what we have done
4 at other locations, and what we have to work with.

5 MEMBER VARGULICH: I understand that. I
6 understand the paradigm for every fuel producer is
7 to put the canopy on the corner. I just find that
8 objectionable, number one; and number two,
9 especially in this case since you're going to
10 basically put signage 25 feet above the street,
11 and that seems odd for a really important corner
12 in St. Charles considering what's across the
13 street on all the other three corners.

14 MR. SOLTIS: We'll certainly take note.

15 VICE CHAIRMAN KESSLER: When we go
16 around -- when we poll the whole Commission --

17 MR. SOLTIS: Right.

18 VICE CHAIRMAN KESSLER: -- we'll comment.

19 MR. SOLTIS: Sure. Because there were
20 some other comments in the staff report that I can
21 call out. Some of the recommendations were to
22 flip flop the car wash queuing. Our car wash
23 queuing is two lanes here. We'll have two pay
24 stations here with drop gates, and then they'll

Transcript of Pride Gas Station

Conducted on June 4, 2019

20

1 signal in. Then they'll funnel into the bay here.
2 And then, like I said, they will be going through
3 every 20 seconds or so. So the queuing is quick.

4 One of the recommendations was to flip
5 flop this and have them enter here. We're looking
6 at that. We're looking at that right now as well.

7 MEMBER MACKLIN-PURDY: So I guess some of
8 my comments just would be traffic flow inside, in
9 here. So if somebody is on -- if somebody is on
10 64 they turn right in and they want to get their
11 car washed, are they going to do a really hard
12 left to get in there, and it's going to be -- I
13 just find it's going to be really wonky and not
14 efficient.

15 CHAIRMAN WALLACE: Well, that would be
16 counter to approaching traffic from the east
17 as well.

18 MEMBER MACKLIN-PURDY: Right. Right. So
19 if somebody -- and then at the same time, if
20 somebody came in and were going to Spotted Fox and
21 they decided to just get gas first and they took
22 the street, you know, over to get gas and somebody
23 was coming in to get their car washed, I could see
24 some traffic issues there.

Transcript of Pride Gas Station

Conducted on June 4, 2019

21

1 Do you see what I mean?

2 MR. SOLTIS: Show me specifically where
3 you think you'd see an issue. Because like I
4 said, the car wash queuing are very quick. So are
5 you saying that if somebody is stacking, they're
6 going to --

7 MEMBER MACKLIN-PURDY: If somebody is
8 turning left to go get their car washed from the
9 first right-in.

10 MR. SOLTIS: Okay.

11 MEMBER HOLDERFIELD: They're basically
12 making a U-turn.

13 VICE CHAIRMAN KESSLER: I understand what
14 you're saying because I think what you just
15 said -- the staff made a comment that if you
16 flipped that queue lane --

17 MR. SOLTIS: Right.

18 VICE CHAIRMAN KESSLER: -- to the east
19 instead of directly inside the
20 right-in/right-out --

21 MR. SOLTIS: They wouldn't be making that
22 maneuver.

23 VICE CHAIRMAN KESSLER: -- you would
24 change it.

Transcript of Pride Gas Station

Conducted on June 4, 2019

22

1 MR. SOLTIS: They would be coming over
2 here, coming over here, and then turning here, and
3 then going in.

4 VICE CHAIRMAN KESSLER: Okay. I just
5 wanted to make sure.

6 MR. SOLTIS: And then existing where the
7 queuing is right now.

8 MEMBER MACKLIN-PURDY: But I also see at
9 the same time if somebody were going to go in the
10 second right-in and go get gas, they have to come
11 all the way down that -- that is a throughway;
12 right? See where the Xs are, the little
13 criss-crosses. Yes, there, and they decide to go
14 get gas. Show me their pattern.

15 MR. SOLTIS: So if they want to get a car
16 wash -- if they don't gas, they're going to get a
17 car wash here.

18 MEMBER MACKLIN-PURDY: No. If they get
19 gas.

20 MR. SOLTIS: Okay. They're going to come
21 through here.

22 MEMBER MACKLIN-PURDY: Right there, if
23 somebody is turning -- a U-turn to get their
24 car --

Transcript of Pride Gas Station

Conducted on June 4, 2019

23

1 MR. SOLTIS: We didn't show any internal
2 traffic signage. We can certainly make that part
3 of our traffic study if that would --

4 MEMBER MACKLIN-PURDY: It just doesn't
5 seem --

6 CHAIRMAN WALLACE: Do you have any problem
7 flipping the car wash the way the staff suggests?

8 MR. SOLTIS: I think we're willing to look
9 at it; and if it works, we're willing to consider
10 that, yes.

11 CHAIRMAN WALLACE: All right.

12 MR. SOLTIS: Yes, yes.

13 MEMBER BECKER: Just to follow up with a
14 statement about that, if that's okay.

15 MR. SOLTIS: Yes.

16 MEMBER BECKER: Is that okay?

17 CHAIRMAN WALLACE: Oh, yes, fine. Sure.

18 MEMBER BECKER: I guess my problem is the
19 line of sight. If you look at the -- take a far
20 view along the sidewalk configuration and the
21 building setback, do we want to have a car wash
22 compromise that line of sight along there,
23 sticking out into -- even though it might meet the
24 yard requirements.

1 I mean, think about that piercing through
2 the front yard in that whole Main Street, you
3 know, vista. You know, that's what I have an
4 issue with in regards to the long-term look of
5 this property and once it's built out.

6 So internal site circulation is certainly
7 an issue, but that car wash being there forever
8 and ever would be something I have an objection
9 to.

10 MR. SOLTIS: One of the staff comments was
11 to try to pull the car wash a little to the south.
12 It does meet code. It is on the setback line. We
13 had maybe a day to kind of look and see if there
14 was a possibility to maybe tweak the car wash a
15 little to the south, but we have to kind of play
16 around with that to see if that's even a
17 possibility.

18 But to address anything further than that,
19 I don't think we would be able to flip flop the
20 car wash and the parking at this point. But once
21 again, I'll take note and refer back.

22 VICE CHAIRMAN KESSLER: I have a question
23 about the comprehensive plan. This is a gateway,
24 designated as a gateway area.

1 I've seen other projects that your company
2 has done, and they're not unattractive, so I'm not
3 overly concerned about that. But given that this
4 is an important gateway on the east side, I wonder
5 have you given any thought to even more
6 enhancements to the building and to the site to
7 beautify that corner. That's my first question.

8 MR. SOLTIS: To unify the corner?

9 VICE CHAIRMAN KESSLER: Beautify.

10 MR. SOLTIS: Beautify. I'm sorry. Okay.

11 Right now we didn't have architectural
12 for today. We were hoping to have maybe some
13 elevations put together. I think a little more
14 thought is going into it. We've done stone.
15 We've done brick. We've done metal. We've done
16 combinations of the three.

17 This one we're looking at trying to
18 incorporate some of the barn into a kind of modern
19 barn look. So siding with metal features and
20 barn-type features.

21 So I don't know what that looks like yet,
22 but that's kind of our vision. The owner of the
23 company, that's kind of his -- that's really where
24 he excels, and that's what he loves, and so we're

1 confident that we're going to be able to provide a
2 very aesthetic, very pleasing and good looking
3 building here.

4 VICE CHAIRMAN KESSLER: Well, I realize
5 it's a concept plan, you know, we just want to
6 give our feedback on it.

7 MR. SOLTIS: Right. Yeah. So it gives
8 you an idea of kind of what tone we're trying to
9 set for the architectural type takeoff of that.

10 VICE CHAIRMAN KESSLER: Great.

11 MR. SOLTIS: Just to point out, it's
12 not -- I mean, you can see the parking here on the
13 south side. Our front door, we plan to have it
14 right here on this southwest corner. This
15 elevation would be per code with windows, this
16 elevation here would be per code with windows, and
17 then we plan to do this solid and plan to do this
18 solid. That may change, but we want some
19 visibility and things like that. But right now
20 that's what I've been told.

21 VICE CHAIRMAN KESSLER: Okay. One final.
22 I notice that, you know, in the plan we talk about
23 connecting sidewalks and making sure the sidewalks
24 connect on both sides, on the east and on the

1 southwest, but I notice that in your application
2 you're asking for relief from building those
3 sidewalks.

4 MR. SOLTIS: We are. Yes, we are asking
5 for the relief.

6 VICE CHAIRMAN KESSLER: What's your
7 reasoning behind that?

8 MR. SOLTIS: Well, I think, right now it's
9 almost 700 linear feet of sidewalk. It's a very
10 expensive sidewalk. We're not asking for any
11 other TIF. We're not asking for any other
12 incentive here.

13 At the end of the day after this detention
14 and retaining walls are designed and then all the
15 pro formas and all the cost factors are put in,
16 it's going to be over a million dollars. So we
17 felt that this is a reasonable request for the
18 City. So that's why we wanted to bring it forth
19 as a request.

20 MEMBER HOLDERFIELD: I have a question.
21 Maybe it's more appropriate for staff. But on
22 page 4 of the report, about midway down, there's a
23 statement that says, "The plan recommends the City
24 install gateway features such as signage,

1 landscaping, decorative lighting, and pedestrian
2 amenities in this area."

3 So what does that mean for the City? I
4 don't quite follow that.

5 MR. COLBY: I believe that recommendation
6 in the plan is referring to improvements that
7 might be made to public property, so the public
8 street right-of-way. If the City was to install
9 enhanced street lighting or other decorative
10 features to try and add character and interest to
11 the area, I believe that's what that --

12 MEMBER HOLDERFIELD: So doesn't that apply
13 here? Isn't that roughly the main along the side
14 of Kirk Road and --

15 MR. COLBY: It is. That type of design
16 recommendation could be incorporated into a
17 private development like this one.

18 MEMBER HOLDERFIELD: Could be, but
19 wouldn't be.

20 MR. SOLTIS: We don't show it on the plan,
21 but we would like to propose a main ID sign at
22 this corner.

23 VICE CHAIRMAN KESSLER: A what sign?

24 MR. SOLTIS: A main ID sign, a monument

1 sign or whatever would be allowed at this corner
2 here.

3 I'm going into flow a little bit more as
4 it's drawn now just to make sure that everybody
5 understands kind of the flow of the car wash area.
6 The double stacking on the car wash, funneling in,
7 you know, exiting out here. This is all one way,
8 all one way here, and then through here as well.
9 And then this is all one way out.

10 So they could either exit out here, or
11 they would come over here, and then this is where
12 they would park with the three vacs, three vacuums
13 that we would have here, and then they would exit
14 out right there, so.

15 CHAIRMAN WALLACE: All right. Any other
16 questions?

17 MEMBER VARGULICH: I just have -- yeah.
18 There's a retaining wall.

19 MR. SOLTIS: Yes. There's one, two,
20 three, four of them.

21 MEMBER VARGULICH: From the access
22 easement to the Kirk Road -- from the access
23 easement to Kirk Road you have 5 feet of retaining
24 wall; right?

1 MR. SOLTIS: Right here, yeah.

2 MEMBER VARGULICH: Heading to the west.

3 MR. SOLTIS: Yes.

4 MEMBER VARGULICH: Is there a reason you
5 wouldn't just fill that area in instead of
6 building a 5-foot wall between the parking lots --
7 the parking lot.

8 MR. SOLTIS: I'd have to go through my
9 notes. I think that has been discussed to try
10 to -- we were trying to eliminate as many
11 retaining walls as we could.

12 MEMBER VARGULICH: Right. The cost per
13 square foot and maintenance.

14 MR. SOLTIS: Right.

15 MEMBER VARGULICH: It seems like since you
16 already have a grading easement with -- I'm
17 assuming your reciprocal agreement includes a
18 grading easement to work on the pond.

19 MR. SOLTIS: It does.

20 MEMBER VARGULICH: Why don't you just fill
21 that area to simplify.

22 MR. SOLTIS: I will bring it up again to
23 our engineers to see if they can be eliminated.
24 We obviously -- we're relying on them on this one,

Transcript of Pride Gas Station

Conducted on June 4, 2019

31

1 and also I'll make another note of that.

2 MEMBER VARGULICH: And then you currently
3 have a trash enclosure.

4 MR. SOLTIS: Yes.

5 MEMBER VARGULICH: It seems like you
6 should have them look at the site triangle there.
7 Even though it's one way out, somebody is going to
8 be wanting to turn left or right, and it seems
9 right now that their view to the west is blocked.

10 MR. SOLTIS: Uh-huh. So you're thinking
11 just shift it to the west a little bit?

12 MEMBER VARGULICH: Potentially or relocate
13 it or something. It seems if somebody pulled up
14 there, they don't have a very long view to the
15 west --

16 MR. SOLTIS: Right.

17 MEMBER VARGULICH: -- because of the
18 position of that trash enclosure.

19 MR. SOLTIS: They're coming out here, and
20 they're going to turn here. Okay.

21 MEMBER VARGULICH: It just seems very
22 close to the --

23 MR. SOLTIS: Okay. We'll make note of
24 that. We'll make note of that. Yeah, absolutely.

Transcript of Pride Gas Station

Conducted on June 4, 2019

32

1 Yeah. That looks to be a, you know, point that we
2 can certainly look at further, absolutely.

3 MEMBER VARGULICH: Maybe it's deeper. You
4 know, it's pushed to the north into that island --

5 MR. SOLTIS: Right.

6 MEMBER VARGULICH: -- so that the edge of
7 the wall doesn't hide as much of the view as you
8 look to the west.

9 MR. SOLTIS: Sure.

10 MEMBER VARGULICH: Just from an overall
11 safety standpoint.

12 MR. SOLTIS: Yes. Okay. I can't remember
13 if that was called out in the staff report, but
14 we'll take a look at that as well.

15 CHAIRMAN WALLACE: All right. Any other
16 questions? Plan Commission?

17 Go ahead.

18 MEMBER PRETZ: I don't have any other
19 questions to add because --

20 VICE CHAIRMAN KESSLER: Questions from the
21 public, and then we'll do that.

22 MEMBER PRETZ: Okay. I can wait. That's
23 fine.

24 CHAIRMAN WALLACE: All right. Any

1 questions from members of the public? Questions
2 or comments?

3 (No response.)

4 CHAIRMAN WALLACE: No.

5 MEMBER VARGULICH: I have a question for
6 staff.

7 CHAIRMAN WALLACE: Yes.

8 MEMBER VARGULICH: Russ and Ellen, if you
9 look at this aerial, on the northwest and
10 southwest corners of Kirk and Main, there are
11 sidewalks that come up, old pathways that come up
12 to the intersection.

13 Between IDOT and Kane County,
14 understanding we don't control either of those, is
15 there any reason that they're thinking they might
16 want to have a pedestrian crosswalk, which then
17 would either help or hinder their argument about
18 eliminating the sidewalks?

19 MR. COLBY: I think ideally there would be
20 a pedestrian crossing across Kirk Road. Right now
21 in that intersection, there is a crossing on Main
22 Street but not on Kirk Road, and that's primarily
23 because there is no sidewalk system existing on
24 the east side of Kirk Road.

1 So if there was an opportunity for one to
2 be installed, I think the City would be supportive
3 of it. I'm not certain how KDOT would view that
4 based on how the intersection is currently
5 designed, as to whether you could safely create a
6 crossing in that area based on how it's
7 configured.

8 MEMBER VARGULICH: I understand that it's
9 a high volume intersection and you have double
10 turn lanes in a couple of locations; but clearly
11 you have retail to the west, even on the south
12 side of Main Street; and there's sidewalks that
13 were put in as part of that development when the
14 AMLI apartments came in.

15 So I know it may be a whacky notion that
16 people in the suburbs might want to walk at all
17 but --

18 MEMBER MACKLIN-PURDY: There's apartments
19 back there.

20 MEMBER VARGULICH: -- is there a way to
21 provide that or to ask KDOT about that or to
22 include that as part of the traffic study that's
23 done here to see about is that pedestrian
24 connection from the west to the east to this

1 development or to the areas, not specifically to
2 them, but all of the other retail. It makes sense
3 at this point now that this corner is going to be
4 developed.

5 MR. COLBY: Yes. I think it could be
6 evaluated as part of the traffic analysis with
7 some input from KDOT.

8 MEMBER VARGULICH: Thank you.

9 CHAIRMAN WALLACE: All right. Any other
10 questions?

11 (No response.)

12 CHAIRMAN WALLACE: All right. At this
13 point in time, I'll go ahead and just poll the
14 Plan Commission. If you can let the applicant
15 know the good and bad, what you think about the
16 project. So we'll go through quickly, and we'll
17 start at this end.

18 MEMBER BECKER: Well, I've already stated
19 my uncomfortable feelings toward the location of
20 the car wash, especially in relation to the
21 setback along Main Street and in relation to the
22 principal building. It seems odd to have that
23 extra building sticking out.

24 I'm also not thrilled about the wonky

1 sidewalk configuration. In keeping with the talk
2 about pedestrian access, it seems awkward to have
3 the jogs; and maybe if the buildings were
4 reconfigured, it would allow some sidewalk access
5 that wasn't so skewed.

6 Those are my comments.

7 CHAIRMAN WALLACE: Okay.

8 MEMBER PRETZ: Well, for me the bad is the
9 parcel itself and its location and the difficulty
10 to do something with it. The good is the fact
11 that we do have an applicant who is taking a look
12 at it and willing to do some kind of development
13 with it.

14 There have been plenty of comments made by
15 the other commissioners and that if you work on
16 it. I don't have anything more to add to that. I
17 just look forward to seeing how you're going to
18 address the different concerns that the other
19 commissioners have.

20 MR. SOLTIS: Okay.

21 CHAIRMAN WALLACE: All right. Jim.

22 MEMBER HOLDERFIELD: Pretty much the same.
23 And I agree with Jennifer. I don't know if
24 landscaping can be added along that north side to

Transcript of Pride Gas Station

Conducted on June 4, 2019

37

1 soften the appearance of it. It's very tight
2 through there.

3 MR. SOLTIS: Landscape here?

4 MEMBER HOLDERFIELD: Perhaps and there's
5 still the issue of the fire truck access that's
6 going to take a little bit more of the road, as I
7 understand.

8 MR. SOLTIS: I'm sorry. The what?

9 MEMBER HOLDERFIELD: Fire truck access.
10 So they may defeat that, but if we can soften that
11 a little along 64 or Main Street, I think it would
12 be a good move on your part.

13 MR. SOLTIS: Okay.

14 MEMBER HOLDERFIELD: Otherwise, I have no
15 problem with it. I'm fine with it.

16 CHAIRMAN WALLACE: All right. I'll just
17 go ahead. I think that we should investigate
18 moving the car wash to the south maybe more. And
19 I think absolutely 100 percent that the car wash
20 should be flipped so that the entrance is from the
21 east side as opposed to the west side for traffic
22 pattern ease.

23 And I also agree on the sight triangle
24 issue with the trash enclosure, although that

1 could be changed when you're doing the first two
2 things. So those were really my three biggest
3 concerns.

4 Other than that, I think it looks good. I
5 think it's a good project, and it's very much
6 needed by someone who travels along there at
7 least, you know, two to four times a day probably.
8 Thank you.

9 Tim.

10 VICE CHAIRMAN KESSLER: Well, knowing full
11 well this is a concept plan and that we don't have
12 all of the details at this point, our job is to
13 give you feedback on what you've presented, and I
14 agree with all of the comments about the car wash
15 moving south, flipping it.

16 I would like to see those sidewalks go in.
17 I'm not really inclined to give relief from
18 providing those sidewalks.

19 I expect that when you come back to us,
20 from the comments that you hear here tonight, that
21 we're going to see a little bit of a different
22 plan. So I'm eager to see that. I know that your
23 company does put pride in the projects that you
24 build, and they are not unattractive, but remember

1 that this is an especially important site for the
2 City of St. Charles. Thank you.

3 MR. SOLTIS: Okay.

4 MEMBER MACKLIN-PURDY: I commend you. I
5 have been looking at this piece of land for
6 20 years wondering when someone is going to
7 develop it. So I know there's a lot of old trees
8 and stuff on this. So I'm assuming they're all
9 going to go away.

10 That being said, have you had discussions
11 with Spotted Fox at all and how this is going to
12 impact them? He has a really nice outdoor patio
13 he's worked a lot on. So if they were to be
14 flipped with the gas station being 24/7, I think
15 that would negatively impact his outdoor area,
16 albeit short. You know, I just don't think he
17 would like those bright lights on his back patio
18 all the time. He has really worked hard in making
19 that nice.

20 So I'm for keeping it the way it is.
21 Because I think you'd want a visible gas station,
22 and I understand why it is the way it is.
23 However, I would look at the traffic flow of the
24 entire site, but most specifically the car wash

Transcript of Pride Gas Station

Conducted on June 4, 2019

40

1 and possibly, as staff has recommended, doing some
2 flipping of that.

3 MR. SOLTIS: Okay.

4 MEMBER MACKLIN-PURDY: I think that's
5 pretty much all I have. I would recommend talking
6 to Marwan at Spotted Fox and just getting some
7 feedback from him.

8 MR. SOLTIS: Okay.

9 CHAIRMAN WALLACE: Anything else?

10 MEMBER MACKLIN-PURDY: No.

11 CHAIRMAN WALLACE: Go ahead.

12 MEMBER VARGULICH: Just probably the
13 biggest thing I would say from a positive is it's
14 really exciting to see somebody do something with
15 this corner. Thank you for taking on the
16 challenge. That is not a simple site at all for
17 any number of reasons.

18 But given all that, it also is visually an
19 important intersection in St. Charles, and I would
20 have a hard time wanting to support this, even
21 given that I'd love to see this thing done,
22 without flipping the location of the building and
23 the canopy so that there is architecture on the
24 corner and not a 20-foot canopy over the pumps.

Transcript of Pride Gas Station

Conducted on June 4, 2019

41

1 MR. SOLTIS: Okay.

2 CHAIRMAN WALLACE: All right. Thank you,
3 everyone.

4 And unless there is anything else from
5 staff, that concludes Item No. 5 on the agenda.

6 All right. Thank you.

7 MR. SOLTIS: Okay. Thank you.

8 (Off the record at 7:42 p.m.)

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

CERTIFICATE OF SHORTHAND REPORTER

I, Joanne E. Ely, Certified Shorthand Reporter No. 84-4169, CSR, RPR, and a Notary Public in and for the County of Kane, State of Illinois, the officer before whom the foregoing proceedings were taken, do certify that the foregoing transcript is a true and correct record of the proceedings, that said proceedings were taken by me stenographically and thereafter reduced to typewriting under my supervision, and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 10th day of June, 2019.

My commission expires: May 16, 2020

Joanne E. Ely

Notary Public in and for the
State of Illinois



Planet Depos[®]
We Make It *Happen*[™]

Transcript of Prairie Place Lofts

Date: June 4, 2019

Case: St. Charles Plan Commission

Planet Depos

Phone: 888.433.3767

Email: transcripts@planetdepos.com

www.planetdepos.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

-----x
In Re: Prairie Place :
Lofts (Viktor Kovtunovich, :
3KB Enterprises LLC) :
Application for Concept :
Plan :
-----x

HEARING
St. Charles, Illinois 60174
Tuesday, June 4, 2019
7:42 p.m.

Job No.: 218465B
Pages: 1 - 30
Reported by: Joanne E. Ely, CSR, RPR

1 HEARING, held at the location of:

2

3 ST. CHARLES CITY HALL

4 2 East Main Street

5 St. Charles, Illinois 60174

6 (630) 377-4400

7

8

9

10

11

12

13 Before Joanne E. Ely, a Certified Shorthand
14 Reporter, and a Notary Public in and for the State
15 of Illinois.

16

17

18

19

20

21

22

23

24

Transcript of Prairie Place Lofts

Conducted on June 4, 2019

3

1 PRESENT:

2 TODD WALLACE, Chairman

3 TIM KESSLER, Vice Chairman

4 JENNIFER BECKER, Member

5 JAMES HOLDERFIELD, Member

6 LAURA MACKLIN-PURDY, Member

7 TOM PRETZ, Member

8 PETER VARGULICH, Member

9 ALSO PRESENT:

10 RUSSELL COLBY, Community Development

11 Manager

12 ELLEN JOHNSON, Planner

13 RACHEL HITZEMANN, Planner

14 MONICA HAWK, Development Engineer

15

16

17

18

19

20

21

22

23

24

1 P R O C E E D I N G S

2 CHAIRMAN WALLACE: Item 6 is Prairie Place
3 Lofts, Viktor Kovtunovich, 3KB Enterprises LLC,
4 application for concept plan.

5 Okay.

6 MR. VARCHETTO: Good evening, ladies and
7 gentlemen. My name is Nick Varchetto. I'm with
8 Engineering Resource Associates. I'm going to be
9 speaking on behalf of 3KB Enterprises for the
10 Prairie Place Lofts development.

11 THE REPORTER: Could you spell your last
12 name, please.

13 MR. VARCHETTO: Varchetto,
14 V-a-r-c-h-e-t-t-o.

15 So this will just be a quick presentation
16 recapping the staff report that you've already
17 seen just to kind of go over a few things, and we
18 look forward to your comments and feedback for
19 this development.

20 3KB Enterprises is a recently created
21 entity from three brothers: Viktor, Pavel, and
22 Ruslan. They are owners of 3KB Construction.
23 They have been building custom homes in
24 St. Charles, DuPage County, and Kane County for

1 17 years now, and they have expertise in
2 electrical contracting and masonry contracting.
3 And they're using this 3KB Enterprises to move
4 into the multifamily development space and away
5 from the single-family. That's just what they're
6 seeing the future of the development in this area
7 is kind of going with.

8 So the lot in question that we're looking
9 at right now for the property is Lot 702 of the
10 Pheasant Run Crossing Subdivision. This used to
11 be just a few years ago part of the Silverado
12 development. It was resubdivided to two lots when
13 Silverado assisted living residential -- when
14 they -- I think it was only three or four years
15 ago now at this point.

16 So the lot is vacant with the detention
17 pond for the entire Pheasant Run Crossing
18 subdivision. We will be expanding that as well,
19 I'll get to that in a little bit, but to the north
20 we have residential townhomes; to the east is the
21 new Silverado development; the south is the car
22 dealership, the VW dealership; and to the west is
23 unincorporated. Nothing is there yet.

24 Right now we're zoned BR, business retail,

1 I believe, and we're looking for an RM-2 zoning
2 for medium density residential. Per the staff
3 report, it might make sense to bump that up to
4 RM-3 which is a little bit more than what's to the
5 north of us. We were trying to stay with the same
6 thing as the north, but it might make sense to go
7 to RM-3 with some of the requirements that we're
8 looking for.

9 One of the reasons why this lot has been
10 chosen is its proximity to downtown St. Charles.
11 It's less than 2 1/2 miles away, and there's a lot
12 of amenities readily accessible in the area for a
13 renter or anybody who wants to be nearby downtown
14 St. Charles.

15 There's grocery stores nearby. The
16 Walmart is nearby. And it's obviously going to be
17 car ready but -- not too much walkable, but it's
18 really a good spot for residential use.

19 So this is the Prairie Place Lofts luxury
20 apartments. This concept plan you can see up on
21 the screen now is three residential apartment
22 buildings. They will all be three stories tall.
23 Two on the south -- the two buildings on the south
24 will be 24-unit apartments, and the one on the

1 north will be an 18-unit apartment.

2 They will consist of in all 48 units of
3 two bedroom, two bath; and 18 units of one
4 bedroom, one bath, for a total of 66 units.

5 We're planning for some courtyard space
6 and open space. We're planning to fully park two
7 parking stalls for each unit. And if you look at
8 the site, we're going to be providing detention on
9 that northeast side potentially with some
10 sidewalks around it so that that can be used for
11 people to walk around. And talking with staff, we
12 are providing the required detention, and we
13 wouldn't need to -- per this plan right now.

14 That's really how we're looking for the
15 site to be. Obviously, based off your comments,
16 we can, you know, adjust as necessary.

17 We're going to be providing two garbage,
18 trash enclosures, I should say, one on the north
19 side and one on the southwest side to access for
20 all three buildings.

21 The property actually owns -- or his
22 property will own that entrance on the far east
23 side. That's part of the flagged part of the
24 property or the pole of the flag, I should say,

1 that Silverado is actually using right now on the
2 easement, and that easement would just continue
3 for our use for this development.

4 So just to get into a little bit of what
5 the building floor plan is going to look like, all
6 the units will have a balcony, and they also will
7 have their own doorway to get in. The main
8 entrance -- well, not from the outside.

9 The main entrance you'll come in. There
10 will be two main entrances per building, and only
11 four units will be accessed per floor on each side
12 of the building. So it will be eight units per
13 floor but only four will be accessible per
14 entrance, and then you go upstairs to the next
15 floor and et cetera as you go up.

16 These are going to be high end luxury, not
17 super high end, but they will be luxury
18 apartments. We are looking for young
19 professionals about 20s to 35 that are in a
20 transition state that want to be in St. Charles
21 but aren't ready to really purchase their first
22 single-family home. That's kind of the
23 demographic we're looking to reach here.

24 Lastly, it's just the elevation view of

1 potentially what this would look like. We haven't
2 really gone into too much of facades and
3 everything. This was the architect's first
4 rendering of this.

5 But it's just going to be your typical, I
6 think, brick is what he's going for and stone
7 masonry. As I said, that's what the client's
8 expertise is in. So this is our first blush at
9 the elevation view of the building.

10 So as of right now, I'm just excited to
11 hear your comments and feedback and see what you
12 think of the development.

13 VICE CHAIRMAN KESSLER: I have a question.
14 Are there elevators?

15 MR. VARCHETTO: That's actually been
16 brought up in the staff initial concept, and they
17 recommended potentially putting elevators in, and
18 we've looked into that, and it could be possible.
19 We just haven't decided whether or not that will
20 be in place yet.

21 VICE CHAIRMAN KESSLER: I have one other
22 question, and then I'll save them for feedback.

23 I see that there's just one entrance; and
24 I wonder when the site was laid out, was there

1 any -- when you were doing the layout, were there
2 any other options that would allow for a second
3 entrance?

4 MR. VARCHETTO: Yeah. This is a really
5 tough spot.

6 VICE CHAIRMAN KESSLER: Yeah, it is.

7 MR. VARCHETTO: And this is why actually
8 staff in the meeting mentioned that this could
9 potentially be a good use of the area. Because we
10 are zoned for business right now, and we are
11 looking to rezone for residential, but this is a
12 flag-type property shape where it's -- the main
13 portion of the property is way back from the road.
14 And because of that, then, there's really nowhere
15 else to access -- to make a second access point
16 for this.

17 So any way to lay that out, I mean, it's
18 very difficult, especially still trying to fit all
19 the required parking and the amount of buildings
20 that we're trying to reach in this.

21 So unless that unincorporated property to
22 the west would like to in the future join on, our
23 parking lot is going to be right there. That
24 could be an access point, depending on what that

1 would be, but for now we don't know.

2 And then there has been no talk with the
3 townhomes to the north either. But if you
4 actually look at the aerial -- which I don't have
5 out here, I don't believe. Excuse me. Yeah, we
6 have one here.

7 The detention basin is going to kick out
8 almost to the townhomes' detention basin. So
9 there's actually going to be a really small amount
10 of space between us and the residential townhomes
11 to the north. Most of this is going to be
12 surrounded by lake on four -- on the two sides, to
13 the east and the north. So to the north, there's
14 really no way to put in an entrance as well.

15 So really the main entrance and the only
16 entrance that's really viable at this time is
17 through that shared entrance with the Silverado.

18 VICE CHAIRMAN KESSLER: I remember when we
19 created this lot, a discussion allowing it to
20 happen. It wasn't that long ago. But with that,
21 I remember -- and this is for staff. I remember
22 that we talked about the possibility that we make
23 a recommendation that they allow cross access to
24 any development that may occur to the west. I

1 think we've done that in the past. Is that not
2 right?

3 MR. COLBY: Yes. That could be
4 incorporated into the site plan and as a condition
5 of the project; and if that access became
6 available, then a connection would be made.

7 VICE CHAIRMAN KESSLER: All right. Great.
8 Thank you.

9 MEMBER VARGULICH: Question, Russ. What's
10 the area on the side of the VW? Is that just
11 parked cars?

12 MR. COLBY: The north side of the
13 building?

14 MEMBER VARGULICH: Yes.

15 MR. COLBY: Yes. There's just a parking
16 lot, storage lot behind the building.

17 MEMBER VARGULICH: A storage lot. So is
18 it possible to see if the petitioner could explore
19 an emergency cross access easement so that if
20 their main entry gets blocked, that there's
21 potentially a way to use the VW parking area to
22 then access the southwest corner of their property
23 next to the trash enclosure that they're showing
24 as a secondary emergency exit only?

1 MR. COLBY: That could potentially be
2 done, assuming the cooperation of the Volkswagen
3 property owner.

4 MEMBER VARGULICH: At least an inquiry
5 into that because that could potentially give them
6 that second emergency access in the event that
7 their main entry is blocked for some reason.

8 How are you going to handle signage? How
9 would somebody know where to get -- understanding
10 that most people use their GPS on their phone,
11 et cetera, et cetera. But as far as what driveway
12 to come in and out, how would somebody do that?
13 Do you have a signage plan?

14 MR. VARCHETTO: We don't really have a
15 signage plan. Most residential doesn't have --
16 somebody is making a destination to a residence
17 typically. It's not a retail where you're just
18 driving by, and, Oh, I want to -- you know. So
19 there is signage along 64 that actually also calls
20 out the Silverado. I believe it calls out
21 everything within the Pheasant Run Subdivision.

22 I mean I would think we would just attach
23 a sign on that as well and show that we would have
24 our development there, but there has been no

1 discussion for signage at this time.

2 Like I said, typically, residential is
3 more of a destination that you know you're heading
4 to, as you said, with the GPS or you know how to
5 get there.

6 I know this is a difficult spot because it
7 is tucked so far back. So there might be the need
8 for some signage, just even internal signage along
9 the Pheasant Run Road to show how to get to the
10 development. So we'll look into that.

11 MEMBER VARGULICH: For first-time people
12 arriving to look at a unit.

13 MR. VARCHETTO: Right. Right.

14 MEMBER VARGULICH: Or their visitors maybe
15 coming for the first time or second time. They're
16 just not familiar with how to get back to it.

17 MR. VARCHETTO: Right. Yeah. I
18 definitely agree.

19 MEMBER MACKLIN-PURDY: I have a question.

20 CHAIRMAN WALLACE: Yes.

21 MEMBER MACKLIN-PURDY: This might seem
22 like a silly question, but why are they called
23 lofts?

24 MR. VARCHETTO: I would have to talk to

1 the owner on that. I actually -- I did not bring
2 that up, so I don't know.

3 MEMBER MACKLIN-PURDY: Because I think
4 that's -- I read everything about them, and
5 they're apartments. They're not necessarily
6 lofts, or are they?

7 MR. VARCHETTO: I would need to speak with
8 the architect and the owner on that. I couldn't
9 tell you. I'd have to get back to you. I don't
10 know.

11 CHAIRMAN WALLACE: Dan.

12 MR. MARSHALL: Dan Marshall,
13 M-a-r-s-h-a-l-l, Marshall Architects 812 East
14 Main, St. Charles.

15 We call them lofts because it's a good
16 marketing thing to call it right now, and we will
17 be decorating them and the style inside and the
18 hallways would be loft like.

19 MEMBER MACKLIN-PURDY: So how high are the
20 ceilings?

21 MR. MARSHALL: They're 9-foot ceilings, a
22 little higher than a normal apartment.

23 MEMBER MACKLIN-PURDY: So it's a marketing
24 thing.

1 MR. MARSHALL: Mostly it's a marketing
2 thing, but it will have a little bit of a loft
3 feel in it. So that's why it says lofts and
4 apartments --

5 MEMBER MACKLIN-PURDY: Okay.

6 MR. MARSHALL: -- to clarify that.

7 MEMBER PRETZ: I have a comment, and it
8 pertains to the balconies.

9 My experience is that when there's an
10 apartment building and a balcony, the balconies
11 become storage areas. My concern would be because
12 of the high end three stories in your
13 illustration -- would be the visibility and the
14 aesthetics of -- and I'm not sure to the north
15 what their visibility will be coming in, but the
16 visibility from at least the south, that I would
17 feel more comfortable if they were not useable
18 balconies so that storage couldn't be there.

19 I do like the look of, you know, the
20 balcony structure. I'm just wondering is that
21 something that is a requirement on your part based
22 on your design, or is it something that can
23 architecturally look okay, but not necessarily be
24 functional or not all of them have a real

1 functioning balcony.

2 MR. MARSHALL: We would like to have them
3 all have -- I mean, any -- if you've ever lived in
4 an apartment, it's really nice to have a balcony
5 to sit outside. I think it's a really key thing
6 when you're renting to have a balcony. In-unit
7 laundry is big. So these are important things.

8 I think the owner can control what's put
9 on it. They can say no bike storage, no storage,
10 you know, no tarps, something like that. But I
11 think you're going to have to allow furniture.
12 The fire department is not going to allow us to
13 put grilling out there or charcoal grilling at
14 least out there. And they're roofed in.

15 So far, at least on the preliminary
16 design, we're doing a pretty strong corner
17 element, a masonry corner element, and it's under
18 roof. So it's incorporated into the body of the
19 building. It's not hanging out there like we've
20 done on First Street with the balconies that hang
21 out.

22 And a little bit of that life, having some
23 stuff like that, that's good, I think, to see that
24 people are living there. I get disappointed when

1 I go by these fancy buildings, and I see
2 balconies, and nobody is out, and I wonder why
3 isn't anybody out on their balcony. You know,
4 maybe we shouldn't be doing them. But I think
5 when you go to rent these things, it's important
6 to have them.

7 So I understand what you're saying, that
8 they can look junky, and people put bikes and hang
9 stuff, and it's just like a pile of junk. And I
10 think that's on the landlord to keep that up, and
11 that can be controlled by that.

12 You've got to have balconies. There's
13 just no way you're going to rent them without a
14 balcony.

15 CHAIRMAN WALLACE: Anything else?

16 MEMBER VARGULICH: Question on the site
17 plan. The north building, why is there such a
18 large setback from the property line to the north
19 building?

20 MR. VARCHETTO: There's an existing
21 easement for utilities in that. So we didn't want
22 to kind of ruffle anything at this point early on
23 to try to change that or update that, and it
24 really wasn't necessary. We couldn't -- if we

1 added another six units, we wouldn't be able to
2 reach the parking, anyway, requirement. So I
3 think that's just kind of the reason.

4 MEMBER VARGULICH: How long is the
5 easement to the property?

6 MR. VARCHETTO: I want to say it's 60
7 feet, but I would have to get back to you. 60
8 feet.

9 MEMBER VARGULICH: 60?

10 MS. JOHNSON: It's 65 feet.

11 MEMBER VARGULICH: 65 feet. Wow. Okay.
12 That's really large.

13 MR. VARCHETTO: Yeah, so, I mean, we're
14 far set back from the townhomes. And then, like I
15 said, on the other side of the property line,
16 there's actually the townhomes' detention pond
17 there. So we're set back very far from all the
18 residential townhomes.

19 CHAIRMAN WALLACE: Okay. All right. Do
20 you have a question or comment, sir?

21 MR. KALINA: Sure. My name is Robert
22 Kalina, K-a-l-i-n-a, 629 Pheasant Trail,
23 P-h-e-a-s-a-n-t, Trail, St. Charles.

24 Greetings. I live at 629 which is -- I

1 forget his name -- the engineer spoke earlier
2 indicated on the site there that I'm probably as
3 close as you can get to this. I presume that the
4 top building is the northern building; is that
5 correct? You have three buildings, two are on the
6 south, one is on the north; is that correct?

7 MR. VARCHETTO: Correct.

8 MR. KALINA: So I'm closest to the north.

9 How long did you say construction would
10 take if it went forward?

11 MR. VARCHETTO: I don't have that at this
12 time. I don't know.

13 MR. KALINA: So as a homeowner at that
14 site, my address, I would have to endure the
15 length of construction. It would be pretty
16 proximal to my balcony. And also I would probably
17 have to undergo a reduction in value. But it
18 would be the view that would be eminent out my
19 balcony, my window.

20 So I just want to go on record as saying,
21 you know, in general, I know you can't stop
22 forward motion, but I personally would not look
23 forward to seeing that great big green field that
24 I've had now for 12 years go away.

1 So I don't know that there's any
2 landscaping. It looks like it's all being built
3 out as much as it could possibly be built out.
4 And then someone mentioned an easement to it
5 isn't, you know, that great. It's blocked in by
6 many different things all around there.

7 So I thank you for the opportunity to
8 speak tonight to all of you, and that's what I
9 have to offer. On behalf of the others and my
10 neighbors not here, they share similar sentiments
11 and would probably agree with some of that. Thank
12 you.

13 CHAIRMAN WALLACE: All right. Thank you.

14 All right. Any other questions?
15 Comments?

16 MEMBER PRETZ: Can I just say to the
17 petitioner that you do have a resident that's in
18 back, and there may be some others. And it may be
19 helpful to set up something where you sit down
20 with them and just kind of discuss -- so that they
21 have a better idea of how this is going to roll
22 out, you know, if you get to that point where
23 you're actually going to do it -- how it will roll
24 out because it will help them understand time

1 frames, what some of the expectations are and
2 maybe alleviate some of their concerns. So that
3 would be my recommendation.

4 MR. VARCHETTO: Yes. That's definitely
5 what we are going to do, and staff already
6 recommended to us to reach out to the townhome HOA
7 about this project. We'll definitely do that.

8 Right now we're still in the conceptual
9 phase, and this is pretty early on. So we're
10 hoping just to kind of get feedback and comments;
11 and as this keeps rolling forward, we're going to
12 involve the townhome HOA as much as we can.

13 Just to comment on the -- we will be still
14 providing that 65 feet of -- that will either be
15 landscape or something potentially in their site
16 plan here, on this part here. He is speaking of
17 the homes over here. This area will still stay
18 green space or with landscape or some kind of
19 park.

20 We haven't spoken about anything of this
21 nature at this time, and also the water feature of
22 the pond will also extend over farther. As I
23 said, it's almost reaching to the townhome pond.
24 So now it's almost like those homes will be

1 surrounded by the water features as well.

2 Including on top of that, the landscape that will
3 be between this and the townhomes, it should be
4 not a terrible sight to see.

5 CHAIRMAN WALLACE: All right. Any other
6 questions?

7 (No response.)

8 CHAIRMAN WALLACE: Do you have some? All
9 right. We'll go ahead and do comments. This time
10 we'll start on this end.

11 MEMBER VARGULICH: I'm just curious if
12 this is luxury units, what sort of other amenities
13 are there going to be here. Are there going to be
14 programmed amenities? Is there a grilling area?
15 Is there a gazebo or some sort of outdoor shelter?

16 You know, you see in lots of luxury units
17 both suburban and urban that there are a number of
18 features available. There are community features,
19 not necessarily given this many units, that you
20 should have a pool or something like that,
21 understanding the high cost of that.

22 But right now you're just kind of showing
23 some sidewalks, and I think to kind of put the
24 bill on the luxury apartment group, again,

1 understanding this is 66 units, it's not
2 300 units, but there ought to be some sort of
3 community amenities.

4 MR. VARCHETTO: Thank you.

5 CHAIRMAN WALLACE: Laura, go ahead.

6 MEMBER MACKLIN-PURDY: I think it's a
7 really good idea, what he brought up about
8 emergency access. I know there's a home over
9 there on the other side of Fox Valley Volkswagen.
10 So I don't see there being another way to -- I
11 think there's a home. Yeah. There's a home right
12 there on the west side of it.

13 But, I mean, it might be something you
14 might want to look into. I think that's a really
15 good idea. I think you have some things to work
16 out in terms of, you know, signage and a buffer,
17 hopefully, for the residents behind there. Like
18 maybe there's some landscaping that you can
19 actually propose to ease some of that -- the
20 barrier between the townhomes -- those townhomes
21 and the new construction.

22 Also, I know you're not requesting a PUD,
23 but it would be nice to have a little bit more
24 green space and maybe utilize that detention in

1 some way. You know, even consider some walking
2 paths or something around there for the residents
3 that live there, walking their dogs, things like
4 that just to incorporate some more green space.

5 MR. VARCHETTO: And that would be around
6 the pond, you're saying?

7 MEMBER MACKLIN-PURDY: Possibly. I mean,
8 I think that, you know, it would be nice to look
9 at something like that.

10 MR. VARCHETTO: Okay.

11 MEMBER MACKLIN-PURDY: That's all I have
12 to say.

13 MR. VARCHETTO: Okay. Thank you.

14 VICE CHAIRMAN KESSLER: Well, again,
15 knowing full well it's a concept plan, I'm glad
16 you're here. We don't have all of the details,
17 but I think what you're hearing tonight as well as
18 the comments are the things that you need to pay
19 attention to and work into your final plans.

20 I do believe that this is probably the
21 highest and best use for this piece of property.
22 We had a lot of discussion in here about this flag
23 lot and what we were leaving as it was subdivided.
24 It's not a retail orientation. That's for sure.

1 I'm not as concerned about the signage as you
2 probably are, not even for a residential use.

3 I do agree with the fear that -- some of
4 my concerns is the single access entry. I know
5 that it's a difficult site. That's one thing that
6 you could accommodate through a PUD, if you
7 consider it; but that being said, I believe that
8 you should pursue the opportunity to talk to
9 Volkswagen. They'll know where we're going.

10 I do believe that I would like to see some
11 sort of a restriction put on it that if there ever
12 was access to the west, that you would be required
13 or your property would be required to connect with
14 them.

15 And then finally, I wanted to talk about
16 this issue of a PUD versus, you know, just
17 changes. And I don't believe that this would
18 really fit into the use of a PUD. But the only
19 thing that has been difficult is the marketing of
20 it. You've solved that by going residential, and
21 the other thing would be the access which I think
22 could be resolved through other means.

23 So move forward the way you're going, and
24 I like the design. I like the layout. You know,

1 if you can get more green space. I know this is
2 just a concept. It's not going to be the same
3 thing if you're coming back to us.

4 MR. VARCHETTO: Right.

5 VICE CHAIRMAN KESSLER: Thank you.

6 MR. VARCHETTO: Thank you.

7 CHAIRMAN WALLACE: All right. Thank you
8 for coming. I really don't have any additional
9 comments. I agree with what's already been said.
10 I think this is a good use for the property. I
11 wish you luck. I do agree that there should be an
12 alternate egress/ingress considered or planned
13 somehow. I think that's necessary. Good luck.

14 MR. VARCHETTO: Thank you.

15 MEMBER HOLDERFIELD: I've just got to say
16 when I was reviewing this concept plan this
17 afternoon, I looked at the elevations, and I said
18 Dan, what? So I think I'm very pleased with the
19 whole plan. I think especially the blueprint of
20 the building, the elevations are very elegant.
21 The illustrations are great.

22 I just hope it's constructed with stone
23 and brick, not siding. It's an elegant, beautiful
24 elevation and facade. I wish you all the best.

1 MEMBER PRETZ: I believe it's probably the
2 best use of the property. So I will agree with
3 the other commissioners. I have confidence that
4 your architect will deliver a very nice finished
5 product to us, even potentially with balconies
6 that are not useable, but we'll see what happens
7 there.

8 And I also have confidence that you have
9 listened and taken down the appropriate notes and
10 that for the recommendations and that. And I feel
11 pretty good that you'll come back with something
12 that is pleasing and fulfills some of these issues
13 that were raised. I welcome the opportunity.
14 Thank you.

15 MR. VARCHETTO: Thank you.

16 MEMBER BECKER: My comment would be that
17 if I'm reading the staff materials and the
18 supporting documentation, that you might be
19 slightly providing additional parking or over
20 parked. You have 144 spaces, and you are only
21 required to have 104, if I'm reading that right.

22 I guess I would prefer to see some of that
23 impervious surface taken away and put into onsite
24 amenities. Just consider that, what that balance

1 is. You don't want to not have enough parking,
2 but you don't want to have unusable spaces that
3 are paved and just sitting there when they could
4 be turned into green space.

5 MR. VARCHETTO: Yeah. We can look at
6 that. Thank you.

7 MEMBER BECKER: Thank you.

8 CHAIRMAN WALLACE: All right. Thank you
9 very much.

10 MR. VARCHETTO: Thank you.

11 CHAIRMAN WALLACE: That concludes Item
12 No. 6.

13 (Off the record at 8:14 a.m.)
14
15
16
17
18
19
20
21
22
23
24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

CERTIFICATE OF SHORTHAND REPORTER

I, Joanne E. Ely, Certified Shorthand Reporter No. 84-4169, CSR, RPR, and a Notary Public in and for the County of Kane, State of Illinois, the officer before whom the foregoing proceedings were taken, do certify that the foregoing transcript is a true and correct record of the proceedings, that said proceedings were taken by me stenographically and thereafter reduced to typewriting under my supervision, and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 10th day of June, 2019.

My commission expires: May 16, 2020

Joanne E. Ely

Notary Public in and for the
State of Illinois



Planet Depos[®]
We Make It *Happen*[™]

Transcript of Swimming Pools

Date: June 4, 2019

Case: St. Charles Plan Commission

Planet Depos

Phone: 888.433.3767

Email: transcripts@planetdepos.com

www.planetdepos.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

BEFORE THE PLAN COMMISSION
OF THE CITY OF ST. CHARLES

-----x

In Re: General Amendment, :
Ch. 17.22, General :
Provisions, and Ch. 17.30, :
Definitions, Regarding :
Swimming Pools :

-----x

HEARING
St. Charles, Illinois 60174
Tuesday, June 4, 2019
8:14 p.m.

Job No.: 218465C
Pages: 1 - 18
Reported by: Joanne E. Ely, CSR, RPR

1 HEARING, held at the location of:

2

3 ST. CHARLES CITY HALL

4 2 East Main Street

5 St. Charles, Illinois 60174

6 (630) 377-4400

7

8

9

10

11

12

13 Before Joanne E. Ely, a Certified Shorthand
14 Reporter, and a Notary Public in and for the State
15 of Illinois.

16

17

18

19

20

21

22

23

24

Transcript of Swimming Pools
Conducted on June 4, 2019

1 PRESENT:

2 TODD WALLACE, Chairman

3 TIM KESSLER, Vice Chairman

4 JENNIFER BECKER, Member

5 JAMES HOLDERFIELD, Member

6 LAURA MACKLIN-PURDY, Member

7 TOM PRETZ, Member

8 PETER VARGULICH, Member

9 ALSO PRESENT:

10 RUSSELL COLBY, Community Development
11 Manager

12 ELLEN JOHNSON, Planner

13 RACHEL HITZEMANN, Planner

14 MONICA HAWK, Development Engineer

15

16

17

18

19

20

21

22

23

24

1 P R O C E E D I N G S

2 CHAIRMAN WALLACE: Item 7 is general
3 amendments, City of St. Charles, Chapter 17.22,
4 General Provisions, and Chapter 17.30,
5 Definitions, regarding requirements related to
6 swimming pools.

7 This is a public hearing, and in
8 particular when I wasn't here, you probably went
9 over public hearings, so I won't go through
10 everything.

11 Would you raise your hand.

12 MS. JOHNSON: I don't usually do this.

13 CHAIRMAN WALLACE: Will you tell the truth?

14 MS. JOHNSON: Yes.

15 CHAIRMAN WALLACE: All right. Go ahead.

16 MS. JOHNSON: And there was an exhibit
17 also that -- we received a letter from a resident.

18 CHAIRMAN WALLACE: Yes. Do you want me to
19 read it?

20 MS. JOHNSON: Yes, please.

21 CHAIRMAN WALLACE: Okay. "Dear members of
22 the Plan Commission,

23 "I am aware that the community development
24 department is planning to propose some changes to

1 the zoning regulations pertaining to residential
2 swimming pools. Any changes that increase
3 setbacks for residential swimming pools are
4 welcome and demonstrate concern by the community
5 development department for property owners who
6 reside next to a residential swimming pool.

7 "In addition to such changes, I am
8 requesting the Plan Commission also consider the
9 inclusion of another zoning restriction that
10 relates to residential swimming pools.

11 "There is ample data and evidence that
12 drownings are a leading cause of deaths among
13 young children. Furthermore, there is no doubt
14 that there are many instances whereby older
15 children and teens behave one way in a pool when
16 they are aware that an adult is providing visual
17 supervision and another way when they believe
18 their activities are not visually supervised by
19 an adult.

20 "There are communities in Illinois that
21 require at least 50 percent visibility of the
22 swimming pool from within the homeowner's house.
23 Nothing provides better supervision and public
24 safety than the direct visual observation and

Transcript of Swimming Pools

Conducted on June 4, 2019

6

1 supervision of an adult. I am attaching to this
2 letter two examples of this restriction. One is
3 from the City of Prospect Heights, Illinois, and
4 another from the City of Elmhurst, Illinois.

5 "This restriction, if accepted, would only
6 apply to pools that are not already installed,
7 under construction, or currently permitted by the
8 zoning department. Furthermore, this restriction
9 would be applicable for property configurations
10 existing at the time that a building permit is
11 processed as the City cannot reasonably monitor or
12 enforce changes in visibility at a later date.

13 "Therefore, the wording of this
14 restriction could include language that reads
15 something like: 'When requesting a building
16 permit, the homeowner must show on the plat of
17 survey the location of the pool and the extent of
18 its unobstructed visibility from within the
19 homeowner's house.'

20 "Thank you for your consideration.

21 "Respectfully submitted,

22 "Jerry Ciffone, C-i-f-f-o-n-e

23 "406 South 9th Street

24 "St. Charles, Illinois

Transcript of Swimming Pools

Conducted on June 4, 2019

7

1 "May 31, 2019."

2 And there are two additional pages, one
3 that has Outdoor Swimming Pool Requirements for
4 the City of Elmhurst, and the other Pool/Hot Tub
5 Guideline from Prospect Heights.

6 MS. JOHNSON: Thank you.

7 The staff has --

8 MEMBER PRETZ: Can I just ask are they --
9 you didn't read through them. Are they similar?
10 Did you take a look at those?

11 MS. JOHNSON: Yes.

12 MEMBER PRETZ: Are both cities similar in
13 their restrictions?

14 MS. JOHNSON: The 50 percent restriction
15 that he is referencing, that restriction is
16 similar.

17 MEMBER PRETZ: It's similar. Okay.

18 MS. JOHNSON: So staff is proposing this
19 general amendment to the ordinance regarding
20 regulations for residential swimming pools because
21 we realize that some of our provisions in the
22 zoning ordinance versus what's located within our
23 chapters of the city code and also our pool
24 permitting packet, some of the setback

1 restrictions conflict, and it's not really clear
2 what actually should apply to residential swimming
3 pools. So this is sort of a cleanup ordinance in
4 that regard.

5 So we're proposing first to amend the
6 table of permitted encroachments regarding
7 swimming pools and pool decks, and this applies
8 only in the single-family residential districts.

9 So in the single-family districts, we're
10 going to continue to restrict swimming pools in
11 the front yard and exterior side yard and to
12 allow -- require a 10-foot setback for swimming
13 pools from the interior side yard and the rear
14 yard.

15 We're also proposing an additional
16 requirement for pools located in the rear yard of
17 a corner lot. So if you'll look at the diagram
18 here. This is a corner lot. Technically, where
19 the blue area is shown, that is the rear yard of
20 this lot.

21 So we're proposing to require screening of
22 a pool from a front yard or interior side yard on
23 an adjacent lot in the case of a pool in a rear
24 yard on a corner lot.

1 So in this case the pool abuts the
2 interior side yard and the front yard of the
3 neighboring properties, so they would be required
4 to have screening 6 feet in height with a fence or
5 landscaping, and that is really to reduce impact,
6 visual impacts from neighboring properties, and in
7 this case where the house -- the front of the
8 house is very close to a pool that's technically
9 in a backyard.

10 We're also proposing to define swimming
11 pools, and I will note that we're going to strike
12 out the last part of our proposed definition. So
13 the definition is "Any constructed pool
14 aboveground, on-ground, or below ground that is
15 over 24 inches in depth."

16 And we had in there an additional
17 requirement that if the pool has a surface area
18 greater than 250 square feet, but we're going to
19 take that out. In order to be consistent with our
20 permitting requirements, we require a permit for
21 any pool that's greater than 24 inches in depth
22 with no square footage requirements.

23 We're also proposing to define a pool
24 deck, which is an impervious area surrounding a

1 swimming pool, up to 4 feet in depth as measured
2 from the outer edge of the swimming pool, which is
3 intended for use by pool users. So this 4-foot
4 surface surrounding a pool would be considered a
5 pool deck, and that would need to meet the same
6 setbacks as the pool itself.

7 VICE CHAIRMAN KESSLER: When you say
8 "impervious," does that mean a wooden deck
9 aboveground?

10 MS. JOHNSON: Yeah. A wooden deck or a
11 patio or paver patio.

12 VICE CHAIRMAN KESSLER: So impervious,
13 it's really --

14 MS. JOHNSON: Yes.

15 We have an additional note in the staff
16 report that we do -- there's a requirement in the
17 zoning ordinance that accessory structures be
18 placed 10 feet from the principal structure on a
19 lot. We have not applied this 10-foot separation.
20 We haven't applied it to pools.

21 And we are not proposing to change our
22 interpretation, but we wanted to present that as
23 an option if the Plan Commission feels that that
24 10-foot separation should be enforced. We don't

1 really see a need for it, but we wanted to put
2 that in there for your consideration.

3 VICE CHAIRMAN KESSLER: Could you say that
4 again, please?

5 MS. JOHNSON: There is a provision in the
6 ordinance that requires 10 feet of separation
7 between the house and an accessory structure. We
8 haven't interpreted that a pool is considered an
9 accessory structure, so we have not required a
10 10-foot separation between the house and the pool.

11 But we could. If the Commission sees a
12 need for it, we could change our interpretation of
13 that.

14 That's it. Are there any questions?

15 VICE CHAIRMAN KESSLER: Yes. Can you show
16 me -- I was trying to follow you when you said the
17 language that you are striking. Where is that?

18 MS. JOHNSON: The definition of swimming
19 pools.

20 VICE CHAIRMAN KESSLER: I'm looking for
21 it. I can't find it quickly.

22 MS. JOHNSON: Right here. So that's
23 page 2 of the staff report. So we're just going
24 to take out "and has a surface area greater than

1 250 square feet."

2 VICE CHAIRMAN KESSLER: Okay. All right.
3 My question is, I mean, are we going to survey all
4 the pools to see if they meet these requirements?
5 Do we know? What happens if there's pools that
6 are already there that don't?

7 MS. JOHNSON: Yeah. They'll be
8 grandfathered in as part of the nonconformity. So
9 they won't be required to come into conformance.
10 This will just apply to any new pools constructed.

11 MEMBER PRETZ: New pools or replacement
12 pools?

13 MS. JOHNSON: Yes.

14 MEMBER PRETZ: You can't just replace it?

15 MS. JOHNSON: Yeah. I mean, I think if
16 it's an existing pool but it's being rehabbed,
17 then it wouldn't be required to come into
18 compliance. But if they're tearing it out and
19 putting in a new pool, then that new pool would
20 need to conform.

21 VICE CHAIRMAN KESSLER: All right. Well,
22 I'm just going to say for me I believe that
23 there's nothing here that's onerous. It sounds
24 like a cleanup.

Transcript of Swimming Pools
Conducted on June 4, 2019

13

1 I would be in favor of leaving out the
2 language or considering a pool an accessory
3 structure so that we don't have the space
4 requirement.

5 CHAIRMAN WALLACE: All right.

6 MEMBER BECKER: Just one question.

7 CHAIRMAN WALLACE: Yeah. Go ahead.

8 MEMBER BECKER: For my own personal
9 information, in the diagram that you have up, does
10 the zoning ordinance allow a pool to go beyond the
11 front building line of the house on the corner
12 yard? Isn't that considered a rear yard?

13 MS. JOHNSON: Yeah. So there is no
14 requirement that the pool itself be set back.
15 Yeah. It just can't be located within the
16 front -- the exterior side yard.

17 MEMBER BECKER: But that probably doesn't
18 happen many places in town.

19 MS. JOHNSON: Not really.

20 MEMBER BECKER: That would be kind of
21 awkward to have a pool sticking out.

22 MS. JOHNSON: It could happen. I can't
23 think of where it may exist.

24 VICE CHAIRMAN KESSLER: I agree. I think

1 that's the whole idea of that screening. I'm not
2 against that. I think you should screen, yeah.

3 MS. JOHNSON: And the building guidelines
4 require barrier fencing anyway. So the screening
5 we've required, the 6 foot, I think the building
6 code requires 5 feet fencing around a pool. So
7 it's just a little bit more and requires a screen
8 fence or landscape screening not an open fence.

9 MEMBER VARGULICH: Can I ask you about the
10 limit to 30 percent.

11 MS. JOHNSON: So that's an existing
12 requirement for all structures located in a rear
13 yard, and it's a lot coverage limitation, and the
14 ordinance is clear that a swimming pool is counted
15 towards lot coverage. So that's an existing
16 requirement.

17 MEMBER VARGULICH: So that's why the
18 impervious language.

19 MS. JOHNSON: Yes. Essentially, although
20 paver patios and decks are not included in that.

21 MEMBER VARGULICH: Okay. Thanks.

22 CHAIRMAN WALLACE: All right. Any other
23 questions?

24 (No response.)

Transcript of Swimming Pools
Conducted on June 4, 2019

15

1 CHAIRMAN WALLACE: All right. Is there a
2 motion to close the public hearing?

3 VICE CHAIRMAN KESSLER: So moved.

4 MEMBER PRETZ: Second.

5 CHAIRMAN WALLACE: Moved and seconded.

6 Tim.

7 VICE CHAIRMAN KESSLER: Becker.

8 MEMBER BECKER: Yes.

9 VICE CHAIRMAN KESSLER: Pretz.

10 MEMBER PRETZ: Yes.

11 VICE CHAIRMAN KESSLER: Holderfield.

12 MEMBER HOLDERFIELD: Yes.

13 VICE CHAIRMAN KESSLER: Vargulich.

14 MEMBER VARGULICH: Yes.

15 VICE CHAIRMAN KESSLER: Purdy.

16 MEMBER MACKLIN-PURDY: Yes.

17 VICE CHAIRMAN KESSLER: Wallace.

18 CHAIRMAN WALLACE: Yes.

19 VICE CHAIRMAN KESSLER: Kessler, yes.

20 CHAIRMAN WALLACE: The public hearing is
21 closed.

22 Is there a motion to take action on this
23 item?

24 VICE CHAIRMAN KESSLER: I would make a

Transcript of Swimming Pools
Conducted on June 4, 2019

16

1 recommendation to -- make a recommendation to
2 approve to the Council Committee general amendment
3 for the City of St. Charles, definitions,
4 regarding requirements related to swimming pools,
5 subject to satisfaction of all staff comments.

6 CHAIRMAN WALLACE: Is there a second?

7 MEMBER MACKLIN-PURDY: Second.

8 CHAIRMAN WALLACE: We'll go with Laura.

9 Sorry.

10 All right. Any discussion?

11 (No response.)

12 VICE CHAIRMAN KESSLER: Becker.

13 MEMBER BECKER: Yes.

14 VICE CHAIRMAN KESSLER: Pretz.

15 MEMBER PRETZ: Yes.

16 VICE CHAIRMAN KESSLER: Holderfield.

17 MEMBER HOLDERFIELD: Yes.

18 VICE CHAIRMAN KESSLER: Vargulich.

19 MEMBER VARGULICH: Yes.

20 VICE CHAIRMAN KESSLER: Purdy.

21 MEMBER MACKLIN-PURDY: Yes.

22 VICE CHAIRMAN KESSLER: Wallace.

23 CHAIRMAN WALLACE: Yes.

24 VICE CHAIRMAN KESSLER: Kessler, yes.

Transcript of Swimming Pools
Conducted on June 4, 2019

17

1 CHAIRMAN WALLACE: All right. That
2 concludes Item No. 7 on the agenda.

3 Any additional business from any Plan
4 Commission members? Staff?

5 (No response.)

6 CHAIRMAN WALLACE: You all have access to
7 the weekly development report.

8 Upcoming meetings, do we have any
9 cancellations planned?

10 MR. COLBY: No, not at this time.

11 CHAIRMAN WALLACE: All right. Good.

12 Is there any public comment? We don't
13 have any public.

14 Is there a motion to adjourn?

15 VICE CHAIRMAN KESSLER: So moved.

16 MEMBER BECKER: Second.

17 CHAIRMAN WALLACE: All right. It's been
18 moved and seconded. All in favor.

19 (Ayes heard.)

20 CHAIRMAN WALLACE: Opposed.

21 (No response.)

22 CHAIRMAN WALLACE: The City of St. Charles
23 Plan Commission is adjourned at 8:28 p.m.

24 (Off the record at 8:28 p.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

CERTIFICATE OF SHORTHAND REPORTER

I, Joanne E. Ely, Certified Shorthand Reporter No. 84-4169, CSR, RPR, and a Notary Public in and for the County of Kane, State of Illinois, the officer before whom the foregoing proceedings were taken, do certify that the foregoing transcript is a true and correct record of the proceedings, that said proceedings were taken by me stenographically and thereafter reduced to typewriting under my supervision, and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 10th day of June, 2019.

My commission expires: May 16, 2020

Joanne E. Ely

Notary Public in and for the
State of Illinois